

UNITED STATES DISTRICT COURT  
FOR THE  
WESTERN DISTRICT OF WASHINGTON

DANA LUCE,

Plaintiff,

vs.

JO ANNE B. BARNHART,  
Commissioner of Social Security,

Defendant

Civil No. C05-5419-RBL

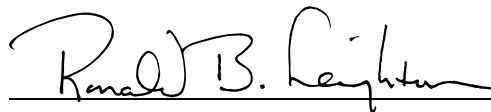
ORDER OF REMAND

Based on the stipulation of the parties, it is hereby ORDERED that the above-captioned case be reversed and remanded for further administrative proceedings, including, but not limited to, the following actions: the administrative law judge (ALJ) will give Plaintiff an opportunity for a new hearing; the ALJ will further consider all of Plaintiff's impairments in determining whether he has a severe impairment(s) throughout the sequential evaluation process; the ALJ will consider the opinions of David Wigutoff, Ph.D. (Tr. 125-130), Beal Essink, M.D. (Tr. 142-148), James E. Bryan, Ph.D. (Tr. 195-204), Vincent E. Hansen, M.D. (Tr. 212-215),

1 Paul Brown, Ph.D. (Tr. 344-348), and Frank P. Colistro, Ed.D. (Tr. 350-353) and will give  
2 proper reasons for the weight given them; the ALJ will further consider Plaintiff's subjective  
3 complaints, Theresa Luce's statements (Tr. 70-78, 322-333), and the Department of Veterans  
4 Affairs' disability rating (Tr. 137-141); the ALJ will further consider Plaintiff's residual functional  
5 capacity; and the ALJ will further consider, with the assistance from a vocational expert,  
6 Plaintiff's ability to perform other work in the national economy.  
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9 This case is reversed and remanded pursuant to sentence four of 42 U.S.C. § 405(g).

10 DATED this 15<sup>th</sup> day of November, 2005.  
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14 RONALD B. LEIGHTON

15 UNITED STATES DISTRICT JUDGE

16 Recommended for Entry:

17 s/ Karen L. Strombom

18 UNITED STATES MAGISTRATE JUDGE

19 Presented by:

20 s/ Daphne Banay

21 Daphne Banay

22 Special Assistant U.S. Attorney

23 Attorney for Defendant

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